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Attorneys for Federal Defendants

12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA (Oakland)

16 CENTER FOR BIOLOGICAL
17 DIVERSITY, ET AL.,

18 Plaintiffs,

19 vs.

20 DAVID BERNHARDT, ET AL.,

21 Federal Defendants.
22

Case. No. 4:19-cv-05206-JST

**STIPULATED ADMINISTRATIVE
MOTION TO EXCEED PAGE
LIMITATIONS**

24 Pursuant to Local Civil Rules 7-11 and 7-12, the parties stipulate to allow
25 Federal Defendants to file a reply brief in support of their motion to dismiss that
26 exceeds the page limit provided in Local Civil Rule 7-3(c) by no more than ten (10)
27 additional pages for the following reasons:
28

1. This Court has related three cases that challenge the U.S. Fish and Wildlife Service (“FWS”) and National Marine Fisheries Service (“NMFS”) regulations implementing the Endangered Species Act (“ESA”): *Center for Biological Diversity v. Bernhardt*, 19-cv-5206 (N.D. Cal. Aug. 21, 2019); *California v. Bernhardt*, 19-cv-6013 (N.D. Cal., Sept. 25, 2019); *Animal Legal Def. Fund v. Bernhardt*, 19-cv-06812 (N.D. Cal., Oct. 21, 2019).

2. On January 7, 2020, Plaintiffs in the three related cases filed separate oppositions to Federal Defendants' motions to dismiss, and in some cases attached dozens of declarations. ECF 46 (*California* Motion); ECF 33 (*Center* Motion); ECF 21 (*Animal Legal Def. Fund* Motion); ECF 41-1, 48-24 (*Center's* Declarations); ECF 39-1, 39-5 (*Animal Legal Def. Fund's* Declarations).

3. Instead of filing three reply briefs, which could total 45 pages under Local Civil Rule 7-3(c), Federal Defendants seek to consolidate their arguments into one reply brief for all three cases.

4. In order to address all three oppositions in one consolidated reply brief, the parties stipulate to allowing Federal Defendants ten (10) additional pages than otherwise provided under the Local Rule for a total of no more than 25 pages.

DATED: January 22, 2020.

Respectfully submitted,

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2 Deputy Assistant Attorney General
3 SETH M. BARSKY, Chief
4 MEREDITH L. FLAX, Assistant Chief

5 /s/ Coby Howell.

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Attorneys for Plaintiffs

1 * In compliance with Civil Local Rule 5-1(i), the filer of this document attests that
2 all signatories listed have concurred in the filing of this document.
3

4
5 [PROPOSED] ORDER

6 PURSUANT TO STIPULATION, IT IS SO ORDERED,
7

8
9 Dated _____:

10
11 _____
12 The Honorable Jon S. Tigar

13
14 U.S. District Court Judge
15

16
17
18 **CERTIFICATE OF SERVICE**

19 I hereby certify that I electronically filed the foregoing with the Clerk of the
20 Court using the CM/ECF system, which will send notification of such to the
21 attorneys of record.
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23
24 /s/ Coby Howell
25 COBY HOWELL, Senior Attorney
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